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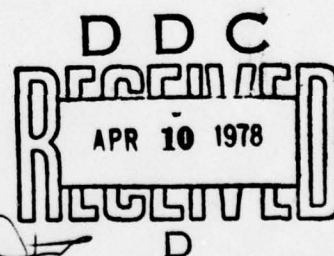
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**STUDENT
ESSAY**

THE MILITARY UNION ISSUE

BY

LIEUTENANT COLONEL RONALD T. KRAMER

INFANTRY



CORRESPONDING COURSE



US ARMY WAR COLLEGE, CARLISLE BARRACKS, PENNSYLVANIA

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interest among service members is growing, those that favor the unions are still very much in the minority. Congress, the Defense Department, and the general public are unanimous in their opposition to the adoption of a military union, and congressional legislation and Department of Defense directives are placing formidable barriers to the formation of military unionization. The arguments regarding the impact of military unionization are largely speculative, but they are no less through provoking. The military union issue will be a continuing subject of concern to both military and civilian societies.



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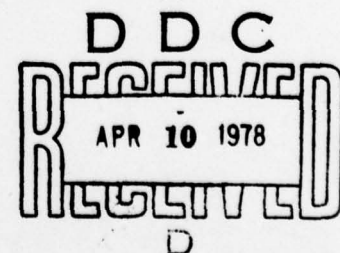
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THE MILITARY UNION ISSUE

By

Lieutenant Colonel Ronald T. Kramer
Infantry



US Army War College
Carlisle Barracks, Pennsylvania
1 November 1977

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ABSTRACT

AUTHOR: Ronald T. Kramer, LTC. INF

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The question of whether military unionization is on the horizon for US Armed Forces is difficult to determine. There are strong precedents for such a move ie, federal unionization and the experience of foreign military unions. There are equally strong opposing precedents such as Supreme Court decisions which clearly differentiate between the military and the civilian societies. A growing interest in military unions by service personnel has been caused principally by the erosion of pay and benefits. Although the interest among service members is growing, those that favor the unions are still very much in the minority. Congress, the Defense Department, and the general public are unanimous in their opposition to the adoption of a military union, and congressional legislation and Department of Defense directives are placing formidable barriers to the formation of military unionization. The arguments regarding the impact of military unionization are largely speculative, but they are no less through provoking. The military union issue will be a continuing subject of concern to both military and civilian societies.

CHAPTER I

FEDERAL UNIONIZATION

Although unionization has existed in the United States since the year 1860, the idea of military unions has been all but remote the past two or three years.¹ A brief sketch of federal unionization is helpful in understanding the evolution of present day thought regarding the establishment of military unions.

The first significant legislation to address Federal labor-management relations was the Lloyd-LaFollette Act of 1912. It guaranteed government workers the right to join unions and granted the right to petition the government in pursuit of organizational goals. Employees were only permitted to join organizations which did not impose "an obligation or duty upon them to engage in any strike or proposing to assist them in any strike against the United States."²

Through the years, legislation reaffirmed the act of 1912 and government attitudes began to liberalize toward federal employee unions. In 1962, 1969, and 1971 Executive Orders 10988, 11491 and 11616, respectively, improved labor-management relations and dispute settlement procedures by establishing the Federal Labor Relations Council, The Federal Impasse Panel, and the Federal Mediation and Conciliation Service. The orders also assigned authority for decisions in disputes

to the Assistant Secretary of Labor for Management Relations and permitted a single negotiated grievance system which substituted binding arbitration for adversary arbitration.

One piece of legislation, the Air National Guard Technicians Act of 1968, resulted in the first precedent for unionization of military personnel. Congress approved the act to resolve the conflict of whether the full-time technicians who perform civilian work, and at the same time accomplish military training and duty were state or federal employees. The act declared the technicians to be federal employees and, therefore, eligible for the federal retirement program and for fringe benefits. By declaring them federal employees, Congress enabled them to unionize, and in fact, today over half of reserve component technicians are represented by labor unions.

With the present prospect of military unions being organized the Senate Armed Services Committee recently approved a bill and sent it to the full Senate which prohibits civilian technicians working for reserve and guard units, who are also military members of those units, from being represented by unions. The bill would withdraw them from the coverage of the current executive order regulating labor relations in the federal sector. The committee stated, "it is no longer willing to accept the risk inherent in the unionization of these federal employees."³ A legal fight by the unions involved is now being initiated against the committee bill.

Not only does federal employee unionization set the foundation for military unions, public unions are intertwined throughout defense related industries of which a fighting force is so dependent. Consider the US government contracts given to civilian firms to perform military related functions. Important combat service support functions such as accomplished by Army Ordnance Centers, and operations such as missile warning systems are examples of union integration in the defense system.⁴ Arguments that the military would be "ham strung" by internal unionization are weakened when one considers that external civilian unions could have even a greater impact on a war effort.

One of today's most powerful federal employees union is the American Federation of Government Employees (AFGE). The AFGE organized in 1932 greatly accelerated its growth in 1962 as a result of Executive Order 10988, and now has a paid membership in excess of 325,000. This membership represents over 675,000 federal employees in exclusive bargaining units.⁵ With the majority of its members working on military bases, the AFGE is the logical organization to organize military unions. A ballot was mailed to each of the 1,566 AFGE locals in May 1977 to determine if the membership wanted to bring the military into the union. The results of the poll in September 1977 showed 151,582 voted "no" and 38,765 voted "yes." Although the AFGE general membership is of a conservative and patriotic nature, the membership no doubt considered that military participation

had the potential of outnumbering the civilians in control of the union. Additionally, the AFL/CIO has openly opposed the AFGE interest in organizing the military. It is doubtful however, the AFGE will permanently bury the military union idea. As military personnel contact the AFGE for assistance, the union's interest in integrating the military will remain active.

A serious attempt at organizing a military union during the Vietnam War resulted in the birth of the American Serviceman's Union (ASU). In 1969, Andrew Dean Stapp volunteered for the draft for the particular reason of forming a serviceman's union from within the US Army. The ASU developed eight basic demands:

1. The right to disobey illegal and immoral orders.
2. Racial equality.
3. Right of free political association.
4. Trial by jury of peers.
5. Election of officers by enlisted men.
6. Abolition of saluting and addressing officers as sir.
7. Right of GI's to collective bargaining.
8. Federal minimum wages for all enlisted men.

ASU had, in 1969, an estimated 5000-6600 members. In 1975, the ASU maintained an address in New York City, however, with the termination of the draft and Vietnam War the union has lost its remaining viability.⁶

With the exception of the ASU, one can see that federal

unionization has resulted in certain precedents to be established by which military unionization could be considered by many as a normal progression of union growth.

CHAPTER II

FOREIGN MILITARY UNIONS

Military unions are not unique in Europe. Various types and forms of military unions can be found in Norway, Belgium, Denmark, Holland, West Germany and Sweden. The European unions are highly developed and collectively have more than sixty soldier associations. The rate of organization is extraordinarily high, eg, nearly 100 percent among officers in Scandinavia.⁷ The formal powers of the European unions are in some cases considerable. Swedish unions, for example, enjoy full collective bargaining and the right to strike. The Dutch and German unions, on the other hand, have only limited consultation rights. In the past two years, the European unions have benefited by new legislation enlarging their powers. Most of the unions are affiliated with large public employee federations.⁸

Two basic patterns are prevalent in European military unions: the development of separate associations for each class of military employee, and a division between professional unionism and conscript unionism. The demands of the European unions focus exclusively on economic and professional interests. Higher compensation is a continual demand as is the drive for regulated work time and compensation for overtime.

One of the most important models of unionization is that within Sweden. The formal powers of the Swedish military unions

are extraordinary. Sweden has the only military union which has a legal right to strike, though, in fact, this right is quite limited and is encumbered by bureaucratic restrictions. In 1971 a strike was actually exercised when contract negotiations broke down. The government countered and ordered a lockout of 3000 officers. The deadlock was finally broken and today the unions have voluntarily agreed to bar strikes among higher officers and to submit any proposed action to a government labor board which can rule on any potential national security impact. Professional military organizing in Sweden has had no negative impact on the Armed Forces. A positive effect is said to have occurred, ie, the officers of the unions have become close partners in personnel management.⁹

The Federal Republic of Germany has a different union situation. Because of the German reaction against militarism a number of key programs were established to protect the soldier's right to question. The Bundeswehr Verband, the German Servicemen's Association, is the largest military association in the world and has over 190,000 members. It is, however, more of a professional association than a union in the strict sense. The Verband has no collective bargaining authority and possesses only limited consultative rights. Its membership is composed mainly of careerists and professionals, including a number of prominent generals.¹⁰

Holland's military unions appear to have attracted the

most attention both here and abroad. The majority of the interest is centered on the draftee's union, the VVDM. This union is the largest in the Netherlands, yet it is only one of twelve officially recognized. Most of the other Dutch military unions are professional groups and dates back to 1898. The VVDM was founded in 1966 and now has approximately 25,000 members (some 60 percent of all conscripts). An active union, VVDM has received much publicity because of some of its victories. The union considers its most notable victory to be in the area of pay. Conscripts have had a 1200% pay hike over the decade of the union's existence.¹¹ However, it is the union's victories over hair length and saluting that has raised the eyebrows of foreign military. Conscripts may wear their hair any length they choose, and this often means shoulder length. Saluting officers has become optional.

A natural thought which comes to mind is how efficient can a military force be that has a strong union under its roof. In the case of the Dutch, reports are favorable. In recent years the Dutch army has scored highest among allied forces during NATO exercises in West Germany.¹² In late 1975 and 1977 during a train hijacking and terrorist acts, the Dutch army performed smoothly and efficiently.

In general, all of the European military unions assert that organizing has had no negative impact on national security. On the contrary, most feel that unionism improves internal

conditions and creates a more democratic and enlightened form of service. There appears to be no observable decline in readiness of the European forces due to unionization. A prediction of similar success for US military unions cannot be considered valid. The US life style provides variable factors which, when coupled with a military union, could result in readiness disaster. The true test of union impact, however, will only be proven in battle.

CHAPTER III

REASONS FOR INTEREST IN UNIONS

"Erosion of Benefits" has been one of the key phrases in all discussions involving the reasons for service members wanting or needing unions. Has there been an erosion of benefits or is this just a misconception among the confusion of statistics? There is hard evidence that clearly shows an erosion of benefits has occurred since 1972. A comparison of basic pay and the cost of living from 1966 - 1976 depicts military pay reaching a point of reasonable competitiveness with the private sector in 1972, (Chart 1). Between 1 January 1972 and the October 1976 pay raise, the cost of living has risen by 41% while military basic pay has been raised only 30% with a resultant 7% loss in real purchasing power over the four years.¹³ "This problem of loss of purchasing power is the total experience of the nearly 60% of current active duty personnel who have entered the services since January 1972. These personnel have not experienced any of the quantum increases in compensation which occurred in the mid-to-late 60's."¹⁴ The All Volunteer Force (AVF) can now reject any argument (often presented by Congress) that they are receiving comparable pay. In fact, no one has really provided any valid measure to compare military with civilian pay. The so-named "X" factor cannot be quantified in terms of dollars or fringe benefits and consequently the pay comparability debate will

never be concluded. One must also consider that the disposable income of the lower military grades can affect the dinner table - to the higher grades, the reduced purchasing power is less critical.

What does aggravate all grades equally are the attacks on the fringe benefits. Here, the erosion is real and measurable to a greater degree. Vice Admiral Watkins, USN, presented a list of benefit changes to the Senate Armed Services Committee on 18 July 1977 which reflect both favorable and unfavorable changes since 1972 for service members, retirees and dependents (see Charts 2, 3 and 4). Although difficult to place a dollar value on a particular benefit because of the different categories of personnel, the total changes that favorably impacted on Service personnel were 17 while those unfavorably number 21 with another 13 unfavorable changes under consideration. Perhaps what is even more disturbing to service personnel is that the unfavorable changes were generated by numerous offices and agencies of the government in an uncoordinated approach. In other words, collectively the various agencies were achieving economies individually with no one agency measuring the net worth, or should we say, net loss to the serviceman.

Public hearings held in June 1977 by the Fleet Reserve Association in Charleston, S.C., Sunnyvale, Calif, and Honolulu, Hawaii concluded that today's service person is more concerned

with tomorrow than with either the immediate past or with today. Next to retirement, medical care was perhaps the greatest concern as discussed by over 70 witnesses during the three hearings.

Service leaders are urging the administration and Congress to observe a moratorium on changes in military pay and benefits. The Joint Chiefs of Staff have sent several memorandums to the Secretary of Defense urging him to personally support the halt to various pending legislation eroding benefits.

A future development regarding the integration of certain benefits in the base pay could reduce the severity of the problem discussed above. The Presidential Commission on Military Compensation is due to report to the President in 1978 and will probably conclude, as other studies in the past, that a salary system incorporating certain benefits with/as pay is desirable. Department of Defense officials are against such a system and claim it would be another step to the "civilianization process" of the armed forces.¹⁵ The implication here is that a "civilianization process" is concomitant to unionization.

The second item most widely discussed as a reason for servicemembers' interest in unions is inadequate grievance procedures. The House Armed Services Military Personnel Subcommittee conducted hearings in June 1977 in an effort to find ways to improve service life and relieve

pressures for unions. One of the main areas of inquiry was to examine the grievance procedures.¹⁶ The Inspector General, the chain of command, advisory councils, administrative boards, equal opportunity programs, communication with a member of congress, chaplains, military suggestion programs and legal assistance programs are the principal avenues for service personnel to pursue legitimate grievances. All of the of the present systems (with the exception of correspondence to Congress) report to the Commander which, critics say, can lead to bias action and the system supporting itself. Critics of the present system also complain that the military retaliates against service personnel who raise grievances. They also complain that "troublemakers" are punished somehow eg, either transferred to an undesirable location or subtly harassed.¹⁷

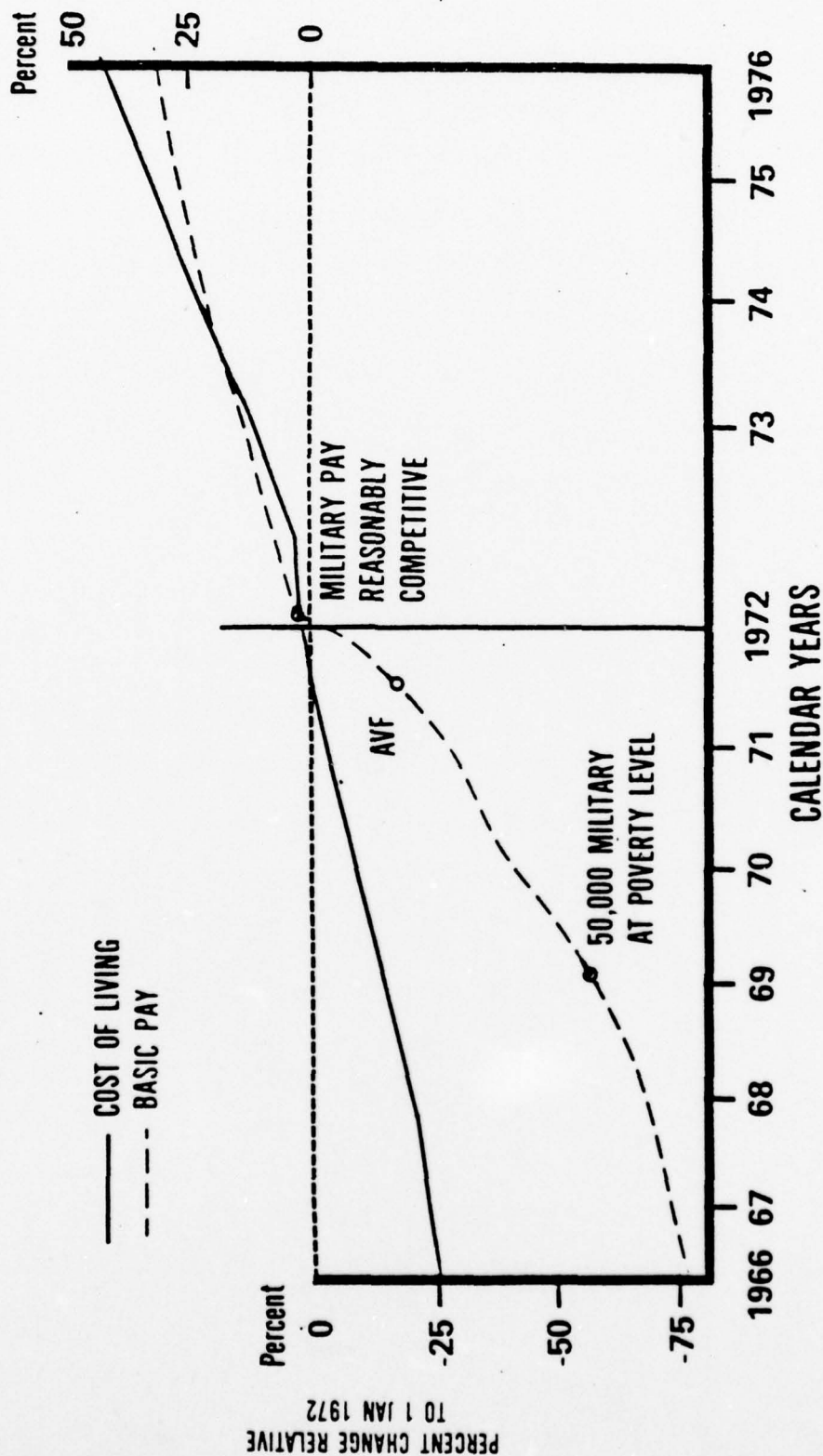
Two proposals have been submitted by critics of the present grievance outlets. The first proposal is to have a civilian component under the IG who would handle complaints from enlisted members, a person who would feel no pressure from commanders. The second proposal which received support from the previous Chief of Staff of the Army, Gen Fred C. Weyand, was to establish some sort of ombudsman. It should be noted that the present Chief of Staff, Gen Rogers, has said that he will be the soldier's ombud sman.

The ombudsman exists in the Israeli forces and the Federal

Republic of Germany Forces. In the FRG he is chosen by parliament and under the basic law and concept the Germans call moral leadership, allowed to go into units and keep in touch with soldiers. A German military attache stated, "When a soldier has problems, either personal or with his superiors, he is allowed to go first to his commander, secondly to his representative in parliament and thirdly to his ombudsman." The ombudsman, who is required by law to investigate all complaints handled about 6400 soldiers gripes in one year.¹⁸

Career military personnel are much less worried about the inspector general system or the grievance procedures than they are about the security of their military future.¹⁹ Unfortunately, members of Congress mistakenly view the complaints they receive which consists mostly of disciplinary problems, pay errors, or assignments as the primary cause for service members wanting unions. The erosion of benefits issue does not come to the forefront from service members to Congressmen. "In fact, many members of Congress usually point to someone else when looking for the culprit who eroded military benefits. Indeed, many insist there has been no erosion," states Plattner in his article.²⁰ In many instances it is the Service publications, such as the Army Times, that keeps the erosion cause forefront in the servicemembers' eyes. Some Congressmen have been known to complain that the Services' Times publications are generating or overlapping the erosion issue.

BASIC PAY AND COST OF LIVING CHANGES 1966 - 1976



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CHART 1

Chart used in briefing to Armed Forces Policy Council October 1976 by
Vice Admiral Watkins

CHART 2

Changes That Favorably Impacted on Service People

ITEM	ACTION	DATE	COMMENT
Service men's Group Life Insurance	Increased face amount from \$15,000 to \$20,000	May 74	Brought coverage in line with amounts carried by American families and comparable to what is offered to Federal Government employees.
Selective Reup Bonus	Reenlistment bonus for selected MOS (\$12,000 max).	Jun 74	Improves retention, provides monetary incentive.
PCS Mileage Allowance	Increased from: \$.06 to .08 per mile \$.08 to .10 per mile	Jul 74 Oct 76	Partial compensation for travel costs.
Dependent Travel Entitlements	Travel of dependents and movements of household goods authorized for E-4 with over two years of service.	Jan 74	Morale and retention. Defrays costs of moving dependents.
Travel Allowance	Raised rate to 15.5¢ a mile for use of privately owned vehicle for local travel in conjunction with government business.	Oct 76	Compensation for travel costs.
Per Diem Rates for TDY	Rates increased from \$25 to \$35 per day (DoD ceiling of \$33 until Oct 76).	Jun 76 (one year after rates increased for civilians)	Aligned with civilian rates. Service member adequately reimbursed for expenses while on TDY.
Do-It-Yourself Move	Service member authorized to move himself.	June 76	Service member reimbursed 75% of what it would have cost government to move household goods by Government Bill of Lading.
Income Tax Exemption on Moving Expenses	Excludes inclusion in gross income any amount received or accrued for moving which is attributable to requirements of military service.	Jan 77	Service member not required to pay tax for something over which he has no control (moves).
Veterans' Education Assistance Program (VEAP)	Enacted as alternate to GI Bill. Service member contributes \$50-75 per month; VA matches \$2 for \$1. (\$8100 max).	Jan 77	Possible enlistment incentive. Service member's contribution refunded if not used. (See loss of fully funded GI Bill.)
Military Retired Pay Inversion	Corrective legislation enacted for retirees.	Oct 75	Protects active duty service members from loss of retired pay for continuing on active duty. Increased motivation to continue serving.
Changes in Survivor Benefit	Terminated irrevocable contribution when no longer any beneficiary. Reduced new spouse coverage wait, increased minimum income provision.	Oct 76	Favorable financial impact on certain retirees and survivors.
Armed Forces Health Professions Scholarships	Continues income tax relief for tax years 1977, 1978, 1979 for scholarship recipients who entered program prior to 1 Jan 77.	Oct 76	Favorable monetary impact on recipients who entered program prior to 1 Jan 77.
Reserve Participation in Individual Retirement Account	Tax Reform Act provides that Reserve Component members may participate in IRA unless the member is on active duty for over 90 days during a tax year.	Oct 76	Tax relief for members of the Reserve who desire to participate in IRA.
Restoration of Pay Group P	Congress restored funding to allow payment for up to 24 drills prior to basic training for high school seniors (within 90 days of graduation) and high school graduates who enlist in a Reserve Component.	FY 76 & FY 77	Allows these service members to attend drills and be paid prior to undergoing BCT/AIT.
Dependency and Indemnity Compensation (DIC)	Legislation was passed to increase DIC payments to widows and children by 8%. Also increased aid and attendance payments to \$78 per month.	Oct 76	Favorable monetary impact on recipient.
VA Pension Rates and Allow	Payment rates were increased by 7%. New income limits depend upon whether the pensioner is a widow or child.	Jan 77	Favorable monetary impact on recipient.
VA Educational Benefits	Increased payment for widows and surviving children who are full time students from \$270 to \$292 per month. Raised the period of entitlement from 36 to 45 school months.	Oct 76	Favorable monetary impact on recipient.

Changes That Unfavorably Impacted on Service People

Enlisted Undergraduate Degree	Funds eliminated.	FY 75	Must obtain college education on off-duty time.
Uniformed Services Savings Deposit Program	Funds eliminated.	Jun 74	Savings program which paid 10% interest for service members stationed outside ConUS.
Enlisted Undergraduate Fully Funded Program	Funds eliminated.	Jan 76	Enlisted personnel were authorized up to two years to obtain Associate or Baccalaureate degree in discipline related to their military skill.
No BAQ/BAS for Accrued Leave Payments	No payment of BAQ/BAS for leave accrued after 31 Aug 76.	Sep 76	Monetary and morale impact.
Taxation Exemption for Disability Retirement	Enactment of law limiting tax exemption to disability resulting from combat type injuries.	Oct 76	Applies to those who enter on active duty after Sep 75. Monetary loss.
CHAMPUS	PL 94-212 eliminated funds for: special education, learning disability, certain sex therapy, certain cosmetic surgery, services and supplies not medically necessary. Established 40-mile rule.	Feb 76	Shifted burden of cost to beneficiary.
Superior Performance Pay	Terminated \$50 per month awarded on competitive basis to top 20% in combat skills and top 10% in combat support skills.	Jan 75	Loss of \$50 per month and incentive to study to obtain scores which would qualify for this pay.
Reallocation of Pay Increase	Reallocate up to 25% of basic pay raise.	Oct 76	Reduce take home pay for families occupying government quarters; reduces retired pay for future retirees; reduced reserve drill pay relative to active duty members.
Fully Funded GI Bill	Eliminated by law for those entering active duty after 31 Dec 75.	Oct 76	Replaced with contributory program. Those currently authorized must use benefit within 10 years from separation but not later than 31 Dec 89.
Preadmission Education Program (PREP)	Eliminated by law.	Oct 76	Terminated high school instruction for non-high school graduates and remedial/refresher education needed to enter college or vocational studies. Replaced with program which can only be used during last six months of initial enlistment.
Lump Sum Reup Bonus	Eliminated lump sum payments.	Dec 74	Loss in actual purchasing power of the bonus. Example: \$5000 bonus paid via five equal installments — the purchasing power drops to \$4500 assuming a 5% rate of inflation. Morale and reenlistment impact.
Regular Reup Bonus	Eliminated reup bonus designed to provide everyone with a maximum \$2000 within a 20-year career.	Jun 74 (to be phased out thru May 77)	Loss of monetary incentive to reenlist except service members holding certain shortage skills who receive selective reup bonus.
Appropriated Fund Support for Morale, Welfare and Recreation Activities	Appropriated fund support did not keep pace with cost of living.	1974	Service members now contribute 45% of recreation services cost thru their PX purchases and fees and charges. (Prior to 1974 most activities were free.)
Medical Care for Retirees and Dependents	Reduced authorization of medical officers plus failure to procure and retain sufficient physicians.	FY 76	Decreased services available to other than active duty personnel. Health care services being curtailed due to manpower reductions and temporary shortages of active duty physicians forcing beneficiaries to CHAMPUS.
CHAMPUS	24 restrictive changes resulting in loss or reduction of health care coverage. New regulation.	Jul 74 to present Jul 77	Increased financial burden, inconvenience, creates disproportionate burden especially for retirees and service members serving away from military installations; i.e., ROTC, Recruiting, Reserve and National Guard duty.
Elimination of Some Military Post Offices	Military post offices collocated with US Postal Service offices closed.	TBA	Loss of PAL and SAM parcel post rates
Vending Machine Revenue	Income from on-post vending machines, except in PX, will be turned over to the states for the visually handicapped, retroactive to 1 Jan 75.	Mar 77	Reduce funds for Morale, Welfare and Recreation activities resulting in increased user charges.
COLA in Hawaii and Alaska	COLA rates decreased or eliminated for employees who occupy government housing and/or have commissary/exchange privileges.	Dec 76	Dependents of service members and retirees losing benefit, entitled by law, because they work for Federal Government.
Taxation of Health Professions Scholarships	Students entering Jan 77 or later required to pay federal and state income tax on value of scholarship.	Jan 77	Monetary.
Shortage Specialty Pro Pay	Terminated this pay for personnel in MOS experiencing career manning shortages.	Jun 75	Monetary and morale.
Commissary Surcharge	Increased from 3% in ConUS	Feb 76	Increased food costs in commissaries.

CHART 4

Unfavorable Changes Under Consideration

Overseas Transportation of Military Exchange Cargo	Eliminate appropriated funds for transportation.	Considered by Congress for FY 77 but not terminated. SAC eliminated funds in FY 78 budget. Awaiting conference action.	Cost to service member \$45 or \$155 annually, depending on whether price increases necessitated by loss of appropriated funds are spread worldwide or overseas only.
Fair Market Rental	Require service member to pay a fair market rental price for government housing instead of just forfeiting BAQ.	Under active consideration at OMB/OSD.	Increased cost for service members occupying government family housing. Exact increase will depend upon location, size of housing, etc. May drive military off-post to buy house/build equity. Degrade unit esprit de corps as a way of life.
Reallocation of Future pay Raises	Reallocate up to 25% of 1977 basic pay raise to BAQ/BAS.	Decision on 1977 reallocation will be made by President Carter in August.	Compounds adverse impact of reallocation on future retirees and Reserve Component pay.
Cadet Pay	Reduce academies cadet pay and ROTC summer camp pay to \$313.20/mo.	Contained in Administration proposed legislative program for 95th Congress	Save pay clause will freeze academies cadet pay at \$345/mo until approx 1980. ROTC rate effective for 1978 summer camp.
Appropriated Fund Support for MWR	Reduce appropriated fund support for morale, welfare and recreation activities.	SAC FY 78 action to eliminate 14,000 MWR billets. Substitute NAF civilians. Awaiting conference action.	Increased user charges and/or closure of certain activities.
Rental Fees for On-Post Trailer Spaces	Charge prevailing local rates for on-post trailer spaces.	DoD ruled OMB Circular A-45 applies (charge FMR).	Service member will pay up to \$100 plus utilities. Possible increase in number of service members eligible for food stamps. Government service members make monetary profit off of service members.
Maximum Allowable Housing Cost (MAHC)	MAHC raised from 25% to 30% of Regular Military Compensation.	Appeal rejected by OSD.	Drastically reduce ConUS family housing leasing authority. Adverse impact on total family housing program.
Commissary Baggers	Termination of use of individuals who bag groceries in commissaries for tips only.	OSD has appealed to Department of Justice	2% increase in surcharge for commissary patrons; loss of opportunity for military dependents to earn money when school is not in session.
VA Home Loan	VA home loan program to be terminated for service members entering active duty on or after 1 Oct 1977.	All Services nonconcur in proposed legislation. Proposed legislation has not been sent to Congress as yet.	Terminate VA loan guarantee for a home, condominiums, mobile home for future service members.
Reductions in Military Non-Disability Retirement System	Several proposals to significantly reduce military retirement have been made.	Proposals will be examined by Blue Ribbon Panel. Congressman Aspin may introduce proposed legislation.	Severe adverse financial impact on future retirees
Military Overseas Dependent Employment Policy	Terminate overseas employment preference for military dependents.	CSC decision expected by 31 Jul 1977.	Loss of job opportunity for spouses that have to work to supplement family income. Severe impact on junior enlisted personnel.
Military Leave for Reserve Component Personnel	Payment of civilian pay would be provided Federal employees only to extent necessary to assure no loss of take-home pay while on active duty for training.	Contained in Administration proposed legislative program for 95th Congress	Loss of up to 100% of civilian pay for Federal employees while on Reserve Component Active Duty for Training.
Contributory Health Care	Member pay a monthly charge for medical care provided.	Legislation introduced 94th Congress.	Monetary.

CHAPTER IV
HOW MANY FOR/AGAINST MILITARY UNIONS

In trying to find an answer to the question of how many and who is for/against unions, this author has researched numerous polls conducted by various agencies and individuals in 1977. The polls, for the most part, have been of civilian personnel. Unfortunately, no large scale poll of service members has been undertaken to provide a valid examination of their preferences. Results of the polls were as follows:

POLLSTER - Gallup Poll ²¹

SAMPLE - Civilian Response

RESULTS - 74% Opposed unionization of military forces
13% Favored
13% Undecided

POLLSTER - Citizen Soldier, a public interest group ²²

SAMPLE - Received a 2% response on a questionnaire sent to 20,000 military personnel.

RESULTS - 52% of EM favored a union
- 45% of all surveyed favored a union

POLLSTER - Americans Against Union Control of Government (AAUCG) ²³

SAMPLE - 82,762 responses from cross section of "patriotic Americans"

RESULTS - 97.7% opposed a law forcing service members to join a labor union.

POLLSTER - American Enterprise Institute for Public Policy Research (AEI) ²⁴

SAMPLE - Civilian response

RESULTS - Approximately 84% opposed the military union.

POLLSTER - Air Force Institute of Technology ²⁵

SAMPLE - 950 Air Force personnel

RESULTS - 30% would join a union

30% Undecided

40% would not join

POLLSTER - Lt Col Ed Gray, USAF²⁶

SAMPLE - Military personnel

RESULTS - 4% favored unions

34% might join

62% against unions

POLLSTER - University of Maryland paper researched for the
39th Military Operations Research Symposium ²⁷

SAMPLE - 120 Service personnel at Ft Benning, Ga

RESULTS - 51% Believed a military union could prevent
fringe benefit losses.

46% said a union could secure higher pay raises

Less that 33% believed a union could effectively
represent the interests of military people by lobbying
Congress.

POLLSTER - Enlisted People's Organizing Committee ²⁸

SAMPLE AND RESULTS - A petition, rather than a poll, containing
1900 enlisted men's signatures was developed asking

Congress not to prohibit military unions.

POLLSTER - American Federation of Government Employees (AFGE)

SAMPLE - Entire membership questioned to determine if union
should organize the military

RESULTS - 141,582 voted no
38,764 voted yes

Several prominent individuals connected with the Department of Defense have informally questioned service personnel.

Sergeant Major of the Army, William G. Bainbridge, has testified to Congress that in his travels throughout the Army, he has noticed no strong sentiment for a union.²⁹ Master Chief Petty Officer of the Navy, R.J. Walker, has testified to Congress there is some sympathy for unions, particularly among petty officers who are alarmed about benefit cuts. Army Secretary Clifford Alexander stated publically that he does not "sense any longing" among US soldiers for membership in a labor union. Alexander said the question never was raised by soldiers he met during trips to bases in the US, Europe and the Pacific area.

This author has conducted limited interviews in July 1977 of Army, Air Force, Marine Corps and Navy personnel, both officer and enlisted grades O7 to E1 who were participating in a Joint Readiness Exercise BRAVE SHIELD XVI. This exercise was conducted in Southern California with the Exercise Director Headquarters located at Norton

Air Force Base, California. The personnel interviewed were members of the Exercise Director Headquarters and represented posts and bases throughout the United States. The results showed 22% favored unions, 7% did not care one way or another and 71% were against. A revealing statistic gained from the interviews was that 50% of the female personnel favored unions. This is an interesting observation considering the fact that a recent research study (Brookings Institution) revealed that female personnel could fill up to one-third of all military jobs. This could increase the present female strength in the Armed Forces to a total of approximately 600,000.³⁰ Another interesting observation revealed during the interview was the general lack of knowledge regarding unions and their functions. Most of the personnel questioned assumed that all unions have the inherent authority to strike. Furthermore, there was virtually no knowledge of the federal unions (eg, AFGC) in the United States or knowledge regarding the operation of foreign military unions. The common reasons offered for opposing unions were that unions would:

1. Be disruptive
2. Be time consuming
3. Degrade discipline
4. Create apathy
5. Be too radical

6. Degrade professionalism

Another interesting revelation was that, although many persons interviewed indicated opposition to military unions, they also felt they were inevitable.

As indicated above, there appears to be a widespread of variances in the results of recent polls. Much of this is due to the category of personnel surveyed, the wording of the questions and the title/position of the interviewer. For example, the slanted type questions presented by the AAUCG was certain to produce a high opposition percentage. Furthermore, military personnel are reluctant to express their favor of unions because of the DOD stated policy against unions. It is safe to conclude from these polls, however, that the majority of service personnel do not favor military unions. It is also probably safe to conclude that there will be increasing interest in unions if the erosion of pay and benefits is not halted. A union drive by the AFGE, the Association of Civilian Technicians, the National Maritime Union, or other organizations could, as a result of propaganda and education, change the present climate of negative feeling that military personnel have towards unions.

CHAPTER V

ARGUMENTS FOR AND AGAINST

Strong arguments exist on both sides of the issue involving the desirability and effect of unions in the military. Most of the pro and con arguments are speculative in nature. Proponents for and against find it hard to agree on ground rules in formulating their arguments and consequently end up generalizing or worst/best case their points. No one proponent for or against the military union agrees to each and every point offered by his fellow colleagues.

A summary in the form of listings of the arguments for and against military unionization is provided on Charts 5 and 6. The lists were compiled in part from numerous readings and the author's experience and opinion. No attempt at discussion is made to amplify the listings. The listings are provided as a handy checklist for consideration of the arguments.

CHART 5

ARGUMENTS FOR

1. Prevent any potential isolation of professional military from society.
2. Strengthen military influence.
3. Prevent erosion of benefits.
4. Settle high unrest within lower ranks.
5. Provide greater measure of justice and dignity.
6. Lobby for balance in defense budget regarding personnel vs procurement.
7. Provide higher compensation and better service conditions.
8. Provide increased standards and more stringent occupational health and safety guidelines.
9. Officers of union become partners in personnel management.
10. Protection of minority, eg, women, blacks, certain skills, services, reserves.
11. Increase domestic liberties.
12. Will assist consensus and support for mission.
13. Will increase motivation because personnel are able to participate in decisions - monolithic authority outmoded.
14. Raise resistance against military reduction.
15. Foster careerism.
16. Modify grievance procedures which will decrease grievances.
17. Prevent bureaucratic cover-ups.
18. Expose wrongdoing or inefficiency.
19. Help instill a sense of pride and professionalism among EM.
20. Help define constitutional rights of service personnel.
21. Provide standard recruiting practices and procedures.
22. Assure stability to military career and retirement benefits.
23. Provide strong lobby to Congress.
24. Temper or Change military justice.

CHART 6

ARGUMENTS AGAINST

1. Degrade discipline and chain of command.
2. Cause general disruption.
3. Degrade dedication to duty with "union mindedness."
4. Increase defense budget as a result of increasing pay and benefit demands.
5. Readiness will suffer.
6. Cause split loyalties of EM and officers.
7. Union potential for irresponsibility-lack of stability.
8. Degrade patriotism.
9. Utilize time, money, space and manpower to administer.
10. Introduce complexities in relationships with other unions.
11. Not supported or looked favorably upon by general public.
12. Would undoubtedly cause a major revamp of the military justice system.
13. Pit minority groups against majority.
14. Union could dictate to nation "might is right."
15. Erode concept of separate services which could weaken civilian control.
16. Generate a large union monetary fund.
17. Union dealings with congress on pay, retirement, and benefits may not be coordinated with DOD.
18. Could destroy/degrade existing associations eg, AUSA, ROA, etc.
19. lengthen daily decision-making process.
20. Unions may support special interests rather than benefit overall membership.

CHAPTER VI

MEASURES TO BAR/DETER MILITARY UNIONS

There are many legislative and Defense Department moves to bar and deter unions. DOD Directive 1325.6 prohibits commanders from recognizing or bargaining with a serviceman's union, however, it is generally held that service personnel may have the right to join a union.³¹ Any bill that would place an outright bar of military members joining a serviceman's union would have two potential difficulties, (1) it may bar current military associations and (2) it may be unconstitutional. This logic, however, did not inhibit the Senate Armed Forces Committee. In August 1977, it voted unanimously to forward a bill to the full Senate which would make it unlawful for:

(a) A service member to join a military union or solicit or maintain membership if he knows its activities or objectives.

(b) A labor organization to enroll military members, to solicit or accept dues, to negotiate or bargain with a purported military union or authorize union activity on government property.

(c) Any individual to bargain on behalf of service members to use military property for union purposes or organize a strike or other concerted effort against the government.³²

The Defense Department, on the other hand, feels that a carefully worded directive would be as effective as any

legislative prohibition. Defense Secretary Harold Brown argues that a directive has more flexibility and can be worded to be applied on a case-by-case basis. Brown said a directive, unlike legislation, can be easily modified to accommodate the changing nature of the union problem.

The Defense Department consequently (October 1977) published a directive which will prohibit negotiation and collective bargaining strikes and other concerted activity, and organizing on-post solicitation for purposes of unionization. However, union membership by military personnel without additional activity on the members part is not expressly prohibited. It provides guidelines for enforcement of the prohibitions of the directive. The guidelines require the Service Secretary to consult with the Chief of Staff and determine, among other things, whether the activity of the organization possesses a clear danger to the discipline, loyalty or obedience to lawful orders before the local commander can bar active membership.³³

There are legal opinions which can be looked upon to predict the outcome of a legal fight to organize military unions. The Supreme Court in its decision of 3 March 1976, *Greer V. Spock* stated, "A military organization is not constructed along democratic lines and military activities cannot be governed by democratic procedures. Military institutions are necessarily far more authoritarian; military decisions

cannot be made by vote of the interested participants." The Court in 1955 (US EX REC Toth V. Quarlos) said that, "This court has long recognized that the military is by necessity a specialized society separate from civilian society." ³⁴ In 1953 (Orlaff V. Willoughly), The Supreme Court said, "An Army is not a deliberative body. It is the executive arm. Law is that of obedience. No question can be left open as to the right to command in the officer, or the duty of obedience in the soldier." The court is clear in the distinctions it makes between military people and civilians. ³⁵

CHAPTER VII

CONCLUSIONS

There are precedents for the establishment of military unions. Federal unionism has successfully integrated the government sector and foreign military unions have proven workable. The ultimate test of combat, however, for the foreign unions has not been met.

The erosion of benefits, the loss of basic pay purchasing power, and the questionable efficiency of the grievance procedure have been the most prominent and publicized factors in causing interest in the establishment of military unions.

No large scale poll has been conducted which can provide valid data indicating the desires of service personnel. Existing polls are extremely limited and the results are, for the most part, not statistically valid or reliable. It is clear, however, that the vast majority of the public, Congress and military personnel do not favor the adoption of unions. Lower grade enlisted personnel and especially servicewomen show the major interest in the military union. Strong arguments exist for and against unions. The degradation of military discipline, the general disruption of military activities, and the tremendous power a military union would have on the nation are cornerstone arguments professed against unions. The prevention of erosion of benefits and stronger

representation for service members' security are included in the pleas for those favoring unions.

Congress and the Defense Department are hastily enacting legislation and directives to counter the growing interest being shown in military unions. Although there is a difference in their approach, both Congress and the Defense Department are firm in their convictions against the adoption of the military union.

The military union issue is a fleeting subject. Each week that passes a new development arises which places the issues of unionization in a different direction. A final chapter on the future of a military union in the Armed Forces of United States cannot be written.

Ronald F. Kramer

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6. Ibid, pp. 30-31.
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16. Andy Plattner, "Are Gripes Heard," Army Times, 23 May 1977, p. 12.
17. Jay Finegan, "Can Troops Safely Rock the Boat," Army Times, 8 August 1977, p. 16.

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32. Philpott, p. 1, see footnote #3.
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